

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SCOTT JOHNSON,
Plaintiff,
v.
ANDY SABERI, et al.,
Defendants.

Case No. [5:19-cv-02571-EJD](#)

**ORDER DIRECTING PARTIES TO
MEET AND CONFER RE JOINT SITE
INSPECTION**

Re: Dkt. No. 15

Plaintiff Scott Johnson has filed an administrative motion asking the court to order Defendants to show cause for failing to provide dates of availability for the joint site inspection and to strike Defendants' answer if they do not adequately explain their failures to provide dates. General Order 56 requires the parties to meet in person at the subject premises to conduct a joint site inspection, unless the plaintiff alleges only programmatic or policy violations. N.D. Cal. Standing Order No. 56 ¶ 3. The parties' counsel shall also attend the joint site inspection. *Id.* Experts may accompany the parties to the site inspection, but unlike the parties and their counsel, the attendance of experts is not required. *Id.* Here, Mr. Johnson does not allege only programmatic or policy violations, so Mr. Johnson, his counsel, Defendants, and Defendants' counsel must all meet in person at the subject premises to conduct the joint site inspection. *See id.*; Compl. ¶¶ 14-22. Mr. Johnson represents that Citibank has not responded to his attempts to schedule the joint site inspection.

The court orders the parties to meet and confer in good faith to reach an agreed-upon time and date when Mr. Johnson, his counsel, Defendants, and their counsel can all meet in person at the subject premises for the joint site inspection. This date must be within 35 days of the date of

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1 this order. Within seven days of the date of this order, the parties shall file a stipulation extending
2 the deadline for the joint site inspection; the stipulation shall include an attestation from each party
3 affirming that the party, in addition to their counsel, will attend the joint site inspection in person.

4 If Defendants do not comply with this order, Mr. Johnson may file a second motion to for
5 an order to show cause. This order resolves docket entry 15.

6 **IT IS SO ORDERED.**

7 Dated: October 9, 2019



EDWARD J. DAVILA
United States District Judge